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EXAMINER
NELSON, FREDA ANN

ART UNIT	PAPER NUMBER
3628	

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12/07/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/998,412	CHOE ET AL.	
	Examiner	Art Unit	
	FREDA A. NELSON	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 September 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10,12,68,71 and 72* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10, 12, 68,and 71-72* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

The amendment received on 12 September 2010 is acknowledged and entered. Claims 10 and 68 have been amended. Claims 1-9, 11, 13-67, 69-70, and 73 have been canceled. No claims have been added. Claims 10, 12, 68 and 71-72 are currently pending.

Response to Amendment and Arguments

1. Applicant's arguments filed 26 April 2010 have been fully considered but they are not persuasive.

2. The Objection to the drawings has been withdrawn due to the Applicant's amendment.

3. The Objection to claims 10 and 68 has been withdrawn due to the Applicant's amendment.

4. Applicant argues that in regards to claims 10 and 68, the applied references do not teach or suggest "the order control server generates the order sheet for the divisional shipment based on an agreement for the divisional shipment transmitted from the dealing company having placed the corresponding order, and wherein the order control server stores the generated order sheets for the divisional shipment in a temporary order storage unit respectively, and when a product shipment for a specific one of the order sheets stored in the temporary order storage unit is carried out, deletes information of the corresponding order sheet from the temporary order storage unit".

The Examiner asserts that Sakayori et al. discloses the managed items include "expected", "orders determined", "delayed", "divided orders", "orders modified", "inspection in progress", and "acceptance", which time-serially divide and manage the order received or order placed (col. 5, lines 38-42). Sakayori et al. further discloses the additional selection module 2616 *retrieves order received/placed data of the item* (icon) selected from the icon display window 211 from the databases (400, 360, 370, 380, and 390) of the server 305 (FIG. 3), and downloads them to the client side (310a, 310b, 310c, and 310d) (2511). *The downloaded data are temporarily saved and queued on the RAM 1304b of the computer 1301* (col. 24, lines 26-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson*, in view of *Chaturvedi et al.,* in view of *Sandell et al.* , in view of *Nagata, in further view of Bright et al.* to include the ability to generate orders placed or received and temporarily store the orders as taught by Sakayori et al. in order to manage the orders.

5. In response to Applicant's arguments that independent claims recite features that further and independently distinguish over the applied references, the Examiner respectfully disagrees for reasons applied to claims 10 and 68.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 10 and 68 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claims 10 and 68, respectively, recites the limitation "the corresponding order" lines 36 and 34, respectively. There is insufficient antecedent basis for this limitation in the claim.

4. Claims 10 and 68, respectively, recites the limitation "the corresponding order sheet" lines 40 and 30, respectively. There is insufficient antecedent basis for this limitation in the claim

5. As per claim 10 and 68, the Examiner is unable to determine what is meant by the claim language "wherein the order control server stores the generated order sheets for the divisional shipment in a temporary, order storage unit **respectively"**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 10 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Peterson et al.* (US Patent No. 6,324,522), in view of *Chaturvedi et al.* (US Patent

No. 6,963,849), and further in view of *Sandell et al.* (US Patent No. 7,191,142), in further view of *Nagata* (US PG Pub. 2008/0133384), still in further view of *Bright et al.* (US Patent No. 7,606,742), still in further view of *Sakayori et al.* (US Patent No. 6,957,190).

7. **As per claim 10**, *Peterson et al.* disclose an e-commerce system, comprising:

a database server to store information about a plurality of dealing companies and order restriction information of a plurality of products (col. 8, lines 18-26; col. 41, lines 51-61; FIGS. 13-16); and

a web server, coupled to the database server, and configured to operate a web site to receive on-line orders for an on-line sale of each of the plurality of products, acquire information about the respective products and dealing companies and registering the acquired information to the database server, and perform order control for order-generating dealing companies, when an order for a product purchase is generated from the corresponding dealing companies (col. 43, lines 19-30).

an order control set-up server coupled to the database server and web server, and configured to restrict prescribed orders for each of the dealing companies based on information about the respective dealing companies (col. 5, lines 4-15; FIGS. 13-16); and

determining whether or not there is the order for the tangible product purchase from one of the dealing companies (FIG. 7 [126],[128]).

Peterson et al. does not expressly disclose a database server storing credit information for each of the plurality of dealing companies; and the information of the

respective dealing companies used to restrict prescribed orders relates to past performances of the corresponding dealing companies.

Chaturvedi et al. discloses set-up information for supplier 14 may include, in any suitable combination and without limitation: items generally available from supplier 14; collaboration activities in which supplier 14 is willing to participate; information about contracts that exist between supplier 14 and buyers 12; communications information to allow the enterprise systems 28 of the supplier 14 to communicate ratings, data files 26, planning output 34, or other appropriate information with marketplace 16; *credit-related information*; payment-related information; or other suitable set-up information (col. 12, lines 27-44). *Chaturvedi et al.* further disclose ratings or other performance information may reflect performance of a potential partner during prior pre-execution phases of the same or one or more previous execution cycles, prior execution phases of one or more previous execution cycles, or prior post-execution phases of one or more previous execution cycles. For example, the marketplace 16 may provide information about past performance of suppliers 14 to a buyer 12 to allow the buyer 12 to determine whether, to what extent, and under what conditions to purchase from a particular supplier 14. Similarly, marketplace 16 may provide information about the past performance of buyers 12 to a supplier 14 or another participant (such as a financier or other financial entity) to allow the supplier 14 or other participant to better determine whether, to what extent, and under what conditions to transact business with a particular buyer 12 (col. 3, lines 17-37). *Chaturvedi et al.* further discloses database 50 may store information concerning past performance of buyers 12, suppliers 14, or other marketplace

participants. For example and without limitation, database 52 may store: (1) buyer profiles for one or more buyers 12 containing buyer-provided criteria for suppliers 14 or other participants (e.g., financial agents); (2) supplier profiles for one or more suppliers 14 containing supplier-provided criteria for buyers 12 or other participants (e.g., financial agents); (3) ratings for one or more suppliers 14 (generally, as to one or more activities, or under one or more circumstances) generated automatically by marketplace 16 based on its monitoring of supplier performance over time, based on ratings or other feedback received over time from one or more buyers 12, or any combination of marketplace-generated and buyer-provided supplier performance information; and (4) ratings for one or more buyers 12 (generally, as to one or more activities, or under one or more circumstances) generated automatically by marketplace 16 based on its monitoring of buyer performance over time, based on ratings or other feedback received over time from suppliers 14, or any combination of marketplace-generated and supplier-provided buyer performance information. Such information may be used in connection with decisions to be made at any stage of an appropriate planning funnel 18 (col. 11, line 50-col. 12, line 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Petersen et al.* to include the feature of *Chaturvedi et al.* in order to select providers of service based on performance since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Peterson et al. in view of Chaturvedi et al. does not expressly disclose determining whether or not the ordered tangible product belongs to a previously established error list in the database server when it is determined that there is the order for the tangible product purchase, and determining whether or not there is the order for the tangible product purchase from one of the dealing companies when it is determined that there is not the order for the tangible product purchase, temporarily suspending next operations and notifying the error to a user when it is determined that the ordered tangible product belongs to the previously established error list, and confirming the order for the tangible product purchase when it is determined that the ordered tangible product does not belong to belong to the previously established error list, determining whether or not the error is cured, and confirming the order for the tangible product purchase when the error is determined to be cured, and suspending the next operations temporarily and notifying the error to the user when the error is determined to not be cured.

Sandell et al. discloses four types of exception report may be generated, including, a "damage" report 260, a "overage" report 262, a "shortage" report 264, and a "suspend" report 266 (col. 6, lines 7-14, FIG. 6A-1). *Sandell et al.* further discloses Supplier 152 determines whether the delivery will occur on time, step 332. If the delivery cannot occur on time (i.e. by the original delivery time), supplier 152 notifies respective store 158 to arrange for a new delivery date and supplier 152 notifies logistics intermediary 154 of the move, step 340. Logistics intermediary 154

notifies delivery agent 212 and delivery agent 212 moves the order to the new date, step 342. If the good will make the shipment on time, supplier 152 notifies logistics intermediary 154, and logistics intermediary notifies delivery agent 212 all is well and records a "complete" action into scanner 159 after the previously suspended good arrives, step 336. Supplier 152 delivers the previously suspended good to delivery agent 212, step 338. Delivery agent 212 scans the manufacturing shipping number label and adds the label to the master requisition, step 344. Next, delivery agent 212 delivers good to buyer's address performs a "completed" disposition action on scanner 159, step 346 (col. 7, lines 44-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson et al.* to include the error reporting system of *Sandell et al.* for the purpose of automatically rescheduling orders to minimize human intervention and errors since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Peterson, in view of *Chaturvedi et al.,* in view of *Sandell et al*. does not explicitly disclose wherein the error list includes at least one of products that fail to exist on a sales list, products ordered by a dealing company that is not authorized, products for which a price and quantity differ from a prescribed minimum price and quantity, or products for which a quantity of the available product in stock is less than the amount ordered.

Nagata discloses based on unique data of the product-in-circulation, the service provider can centrally manage the product-in-circulation which is used by a plurality of service receivers. This makes it possible to distinguish between authorized products and unauthorized products, thus allowing the service provider, for example, to warn the service receiver about the product-in-circulation used by the service receiver which was found to be an unauthorized product, so as to exclude unauthorized products ([0905]). *Nagata* further discloses the unique data of the product-in-circulation is ID data which can be formed on the product-in-circulation and which can identify each product-in-circulation; therefore, when the service provider tries to register a product-in-circulation which has already been registered, checking comes into operation because two or more product-in-circulations having the same data exist, and the one which is detected later, which is generally more likely to be an unauthorized product, having copied unique data of the authorized product, is excluded ([0906]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson* to include the features of *Chaturvedi et al., Sandell et al.*, and *Nagata* in order to provide buyers and sellers of products with a check and balance to prevent loss from loss due to items not authorized for sale.

Peterson, in view of *Chaturvedi et al.,* in view of *Sandell et al*. , in further view of *Nagata* does not explicitly disclose the order control server generates an order sheet for a divisional shipment so that quantity of the ordered tangible product is able to make a divisional shipment on each shipment-available date, when confirming the order for the tangible product purchase.

Bright et al. discloses the pre-processor uses business rules to determine if the ESO should be split into multiple documents for requests satisfied across multiple sales Areas; and the Workbench provides a customer purchase order view of the ESO that looks, feels and behaves like actual order entry screens, wherein the Workbench also displays messages generated from the pre-processor describing why the ESO was held for review. After the condition is corrected the Workbench re-executes the ESO pre-processor (abstract). Bright et al. further discloses in addition to supporting a third party availability check and subsequent splitting of the ESO, the pre-processor provides a robust set of business rules that allows a supplier to configure how a request is managed. These business rules allow certain functions to be automated if specified criteria are satisfied. For example, a new sales order request from a low-tiered customer can be configured for manual service prior to posting. The same request from a high-tiered customer can be configured for manual review only under certain conditions, such as if the requester falls under minimum order quantity levels, while the same request from another customer in the same condition could be configured for automatic routing (col. 3, lines 45-57; FIG. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Peterson et al. to include the system for performing an asynchronous availability check of products before a sales order is posted as taught by Bright et al. in order to minimize errors in sales orders.

Peterson, in view of *Chaturvedi et al.,* in view of *Sandell et al.* , in view of *Nagata, in further view of Bright et al.* does not explicitly disclose wherein the order

control server generates the order sheet for the divisional shipment based on an agreement for the divisional shipment transmitted from the dealing company having placed the corresponding order, and

wherein the order control server stores the generated order sheets for the divisional shipment in a temporary, order storage unit respectively, and when a product shipment for a specific one of the order sheets stored in the temporary, order storage unit is carried out, deletes information of the corresponding order sheet from the temporary order storage unit.

Sakayori et al. discloses the managed items include "expected", "orders determined", "delayed", "divided orders", "orders modified", "inspection in progress", and "acceptance", which time-serially divide and manage the order received or order placed (col. 5, lines 38-42). Sakayori et al. further discloses the additional selection module 2616 *retrieves order received/placed data of the item* (icon) selected from the icon display window 211 from the databases (400, 360, 370, 380, and 390) of the server 305 (FIG. 3), and downloads them to the client side (310a, 310b, 310c, and 310d) (2511). *The downloaded data are temporarily saved and queued on the RAM 1304b of the computer 1301* (col. 24, lines 26-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson*, in view of *Chaturvedi et al.,* in view of *Sandell et al.* , in view of *Nagata, in further view of Bright et al.* to include the ability to generate orders placed or received and temporarily store the orders as taught by Sakayori et al. in order to manage the orders.

8. **As per claim 12**, *Peterson et al.* , in view of *Chaturvedi et al., in view of Sandell et al.,* in further view of *Nagata, in further view of Sakayori et al.* discloses the system of claim 10, wherein the order control server further to restrict prescribed orders based on the order restriction information of the products in the database server. Petersen et al. does not expressly disclose the order restriction information including at least one of amounts in stock by the respective models of sales products, sale or sale-suspension of the respective models of the sales products, out-of-production or production of the respective models of the sales products.

Sandell et al. further discloses four types of exception report may be generated, including, a "damage" report 260, a "overage" report 262, a "shortage" report 264, and a "suspend" report 266 (col. 6, lines 7-14, FIG. 6A-1, see Tables 1-3). *Sandell et al.* further discloses Supplier 152 determines whether the delivery will occur on time, step 332. If the delivery cannot occur on time (i.e. by the original delivery time), supplier 152 notifies respective store 158 to arrange for a new delivery date and supplier 152 notifies logistics intermediary 154 of the move, step 340. Logistics intermediary 154 notifies delivery agent 212 and delivery agent 212 moves the order to the new date, step 342. If the good will make the shipment on time, supplier 152 notifies logistics intermediary 154, and logistics intermediary notifies delivery agent 212 all is well and records a "complete" action into scanner 159 after the previously suspended good arrives, step 336. Supplier 152 delivers the previously suspended good to delivery agent 212, step 338. Delivery agent 212 scans the manufacturing shipping number label and adds the

label to the master requisition, step 344. Next, delivery agent 212 delivers good to buyer's address performs a "completed" disposition action on scanner 159, step 346 (col. 7, lines 44-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson et al.* to include the order restriction system of *Sandell et al.* in order to maintain ordering structure by automatically rescheduling orders to minimize human intervention and errors since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

9. **Claim 68** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Peterson et al.* (US Patent No. 6,324,522), in view of *Sandell et al.* (US Patent No. 7,191,142), in further view of *Nagata* (US PG Pub. 2008/0133384), still in further view of *Bright et al.* (US Patent No. 7,606,742), still in further view of *Sakayori et al.* (US Patent No. 6,957,190).

10. **As per claim 68**, *Peterson et al.* disclose an e-commerce system, comprising:

a web server, coupled to the database server, and capable of receiving orders on-line from a plurality of dealing companies for tangible products and selecting and displaying only available tangible products of the tangible products in the received orders on an interface screen (col. 43, lines 32-67).

an order control set-up server; (col. 5, lines 4-15; FIGS. 13-16); and

determining whether or not there is the order for the tangible product purchase from one of the dealing companies (FIG. 7 [126],[128]).

Peterson et al. does not expressly disclose a database server storing information relating to product order errors; determining whether or not the ordered tangible product belongs to a previously established error list in the database server when it is determined that there is an order for the tangible product purchase, and determining whether or not there is the order for the tangible product purchase from one of the dealing companies when it is determined that there is not the order for the tangible product purchase, temporarily suspending next operations and notifying the error to a user when the ordered tangible product is determined to belong to the previously established error list and confirming the order for the tangible product purchase when the ordered tangible product is determined to not belong to the previously established error list, determining whether or not the error is cured, and confirming the order for the tangible product purchase when the error is determined to be cured, and suspending the next operations temporarily and notifying the error to the user if the error is determined to not be cured.

Sandell et al. discloses four types of exception report may be generated, including, a "damage" report 260, a "overage" report 262, a "shortage" report 264, and a "suspend" report 266 (col. 6, lines 7-14, FIG. 6A-1, see Tables 1-3). *Sandell et al.* further discloses Supplier 152 determines whether the delivery will occur on time, step 332. If the delivery cannot occur on time (i.e. by the original delivery time), supplier 152 notifies respective store 158 to arrange for a new delivery date and supplier 152 notifies

logistics intermediary 154 of the move, step 340. Logistics intermediary 154 notifies delivery agent 212 and delivery agent 212 moves the order to the new date, step 342. If the good will make the shipment on time, supplier 152 notifies logistics intermediary 154, and logistics intermediary notifies delivery agent 212 all is well and records a "complete" action into scanner 159 after the previously suspended good arrives, step 336. Supplier 152 delivers the previously suspended good to delivery agent 212, step 338. Delivery agent 212 scans the manufacturing shipping number label and adds the label to the master requisition, step 344. Next, delivery agent 212 delivers good to buyer's address performs a "completed" disposition action on scanner 159, step 346 (col. 7, lines 44-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson et al.* to include the error reporting system of *Sandell et al.* for the purpose of automatically rescheduling orders to minimize human intervention and errors since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Peterson, in view of *Sandell* et al. does not explicitly disclose wherein the error list includes at least one of products that fail to exist on a sales list, products ordered by a dealing company that is not authorized, products for which a price and quantity differ from a prescribed minimum price and quantity, or products for which a quantity of the available product in stock is less than the amount ordered.

Nagata discloses based on unique data of the product-in-circulation, the service provider can centrally manage the product-in-circulation which is used by a plurality of service receivers. This makes it possible to distinguish between authorized products and unauthorized products, thus allowing the service provider, for example, to warn the service receiver about the product-in-circulation used by the service receiver which was found to be an unauthorized product, so as to exclude unauthorized products (*Nagata:* [0905]). *Nagata* further discloses the unique data of the product-in-circulation is ID data which can be formed on the product-in-circulation and which can identify each product-in-circulation. Therefore, when the service provider tries to register a product-in-circulation which has already been registered, checking comes into operation because two or more product-in-circulations having the same data exist, and the one which is detected later, which is generally more likely to be an unauthorized product, having copied unique data of the authorized product, is excluded (*Nagata:* [0906]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Peterson to include the features of *Sandell et al. , and Nagata* in order to provide buyers and sellers of products with a check and balance to prevent loss from loss due to items not authorized for sale.

Peterson, in view of *Chaturvedi et al.,* in view of *Sandell et al*. , in further view of *Nagata* does not explicitly disclose the order control server generates an order sheet for a divisional shipment so that quantity of the ordered tangible product is able to make a divisional shipment on each shipment-available date, when confirming the order for the tangible product purchase.

Bright et al. discloses the pre-processor uses business rules to determine if the ESO should be split into multiple documents for requests satisfied across multiple sales Areas; and the Workbench provides a customer purchase order view of the ESO that looks, feels and behaves like actual order entry screens, wherein the Workbench also displays messages generated from the pre-processor describing why the ESO was held for review. After the condition is corrected the Workbench re-executes the ESO pre-processor (*Bright et al.:* abstract). *Bright et al.* further discloses in addition to supporting a third party availability check and subsequent splitting of the ESO, the pre-processor provides a robust set of business rules that allows a supplier to configure how a request is managed, wherein these business rules allow certain functions to be automated if specified criteria are satisfied. For example, a new sales order request from a low-tiered customer can be configured for manual service prior to posting. The same request from a high-tiered customer can be configured for manual review only under certain conditions, such as if the requester falls under minimum order quantity levels, while the same request from another customer in the same condition could be configured for automatic routing (*Bright et al.:* col. 3, lines 45-57; FIG. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Peterson et al. to include the system for performing an asynchronous availability check of products before a sales order is posted as taught by Bright et al. in order to minimize errors in sales orders.

Peterson, in view of *Chaturvedi et al.,* in view of *Sandell et al.* , in view of *Nagata, in further view of Bright et al.* does not explicitly disclose wherein the order control

server generates the order sheet for the divisional shipment based on an agreement for the divisional shipment transmitted from the dealing company having placed the corresponding order, and

wherein the order control server stores the generated order sheets for the divisional shipment in a temporary, order storage unit respectively, and when a product shipment for a specific one of the order sheets stored in the temporary, order storage unit is carried out, deletes information of the corresponding order sheet from the temporary order storage unit.

Sakayori et al. discloses the managed items include "expected", "orders determined", "delayed", "divided orders", "orders modified", "inspection in progress", and "acceptance", which time-serially divide and manage the order received or order placed (col. 5, lines 38-42). Sakayori et al. further discloses the additional selection module 2616 *retrieves order received/placed data of the item* (icon) selected from the icon display window 211 from the databases (400, 360, 370, 380, and 390) of the server 305 (FIG. 3), and downloads them to the client side (310a, 310b, 310c, and 310d) (2511). *The downloaded data are temporarily saved and queued on the RAM 1304b of the computer 1301* (col. 24, lines 26-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of *Peterson*, in view of *Chaturvedi et al.,* in view of *Sandell et al.* , in view of *Nagata, in further view of Bright et al.* to include the ability to generate orders placed or received and temporarily store the orders as taught by Sakayori et al. in order to manage the orders.

11. **Claims 71-72** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Peterson et al.* (US Patent No. 6,324,522), in view of *Chaturvedi et al.* (US Patent No. 6,963,849), further in view of *Sandell et al.* (US Patent No. 7,191,142) still in further view of *Bright et al.* (US Patent No. 7,606,742), in further view of *Sakayori et al.* (US Patent No. 6,957,190) as applied to claim 10 above, and further in view of *Kumar et al.* (US PG Pub. 2002/0042756).

12. **As per claim 71**, *Peterson et al., in view of Chaturvedi et al,* in view of *Sandell et al., in* view of *Bright et al.* discloses the system of claim 10, but does not expressly disclose wherein the order control set-up server further to restrict prescribed orders based on the order restriction information of the products in the database server, the order restriction information of the tangible products relates to a minimum quantity of the available quantity of the corresponding tangible product.

Kumar et al. discloses that fulfillment server 16 may maintain information regarding suppliers and parent-child or other hierarchical relationships between suppliers, which fulfillment server 16 may use for order promising and other suitable purposes, as discussed more fully below. In one embodiment, definitions for suppliers maintained at fulfillment server 16 may include, in any suitable combination, without limitation: (1) name, (2) description, (3) category, (4) parent, (5) children, (6) the products the supplier provides, (7) the groups associated with the supplier, (8) ranked or other list of preferred customers for a given product, (9) acceptable alternates or substitutes for a given product, (10) minimum and maximum quantities for orders, (11)

order quantity constraint not allowing fulfillment server 16 to reduce the quotation quantity without affecting validity of quotation, (12) cancellation restrictions, (13) cancellation window outside of which orders cannot be canceled, (14) communications protocols supported by the supplier for receiving requests for quotation, quotation acceptances, cancellations, and/or other information; (15) communications protocols supported by the supplier for communication quotations, promises, acceptances, and/or other information; and (16) network addresses used to communicate with the supplier (*Kumar* : [0033]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Peterson et al. to include the feature of Kumar et al. in order to provide suppliers a way of quoting more accurate delivery information to meet customer orders (*Kumar:* [0008]) since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

13. **As per claim 72**, *Peterson et al.*, in view of *Chaturvedi et al,* in view of *Sandell et al.,* in view of *Bright et al.* discloses the system of claim 10, but does not expressly disclose wherein the information of the respective dealing companies used to restrict prescribed orders relates to order-restricted products associated with a distribution channel of the corresponding dealing company.

Kumar et al. discloses that fulfillment server 16 may maintain information regarding suppliers and parent-child or other hierarchical relationships between suppliers, which fulfillment server 16 may use for order promising and other suitable purposes, as discussed more fully below. In one embodiment, definitions for suppliers maintained at fulfillment server 16 may include, in any suitable combination, without limitation: (1) name, (2) description, (3) category, (4) parent, (5) children, (6) the products the supplier provides, (7) the groups associated with the supplier, (8) ranked or other list of preferred customers for a given product, (9) acceptable alternates or substitutes for a given product, (10) minimum and maximum quantities for orders, (11) order quantity constraint not allowing fulfillment server 16 to reduce the quotation quantity without affecting validity of quotation, (12) cancellation restrictions, (13) cancellation window outside of which orders cannot be canceled, (14) communications protocols supported by the supplier for receiving requests for quotation, quotation acceptances, cancellations, and/or other information; (15) communications protocols supported by the supplier for communication quotations, promises, acceptances, and/or other information; and (16) network addresses used to communicate with the supplier *Kumar:* [0033]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Peterson et al. to include the feature of *Kumar et al.* in order to provide suppliers a way of quoting more accurate delivery information to meet customer orders (*Kumar:* [0008]).

Conclusion

a. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday -Wednesday and Friday, 10:00 AM -6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. A. N./
Examiner, Art Unit 3628

/JOHN W HAYES/
Supervisory Patent Examiner, Art Unit 3628